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Noticed 06/09/23

## **PUBLIC NOTICE – PUBLIC WORKS & SUSTAINABILITY**

The Public Works & Sustainability Committee will meet Monday June 12, 2023 at 7:00 p.m. in the Auditorium of Lakewood City Hall at 12650 Detroit Avenue. The meeting is open to the public.

Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least 3 business days ahead of the scheduled meeting. Contact Michelle Nochtka at (216) 529-5906 [michelle.nochta@lakewoodoh.net](mailto:michelle.nochta@lakewoodoh.net).

The meeting will be livestreamed on the City's website at the following link:

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[www.lakewoodoh.gov/councilvideos](http://www.lakewoodoh.gov/councilvideos)

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### **PUBLIC COMMENT PROTOCOL**

The public is invited to comment on agenda items in person or by submitting a written comment in advance of the meeting using the eComment platform available [HERE](#). New users must create an eComment account.

### ***The agenda is as follows:***

Approval of the minutes of the May 22, 2023 meeting of the Public Works & Sustainability Committee.

**RESOLUTION 2023-32** – A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the City Engineer of the City of Lakewood to prepare and execute an application for Congestion Mitigation and Air Quality (CMAQ) funds for the stated described project and to submit same to the Northeast Areawide Coordinating Agency (NOACA) for consideration of funding by Ohio Association of Regional Councils (OARC) on behalf of Lakewood. (*Referred to PWS 6/5/23*)

Tristan Rader, Chair  
Tom Bullock, Kyle Baker; Members

**PUBLIC WORKS & SUSTAINABILITY COMMITTEE**

RESOLUTION NO. 2023-32

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the City Engineer of the City of Lakewood to prepare and execute an application for Congestion Mitigation and Air Quality (CMAQ) funds for the stated described project and to submit same to the Northeast Areawide Coordinating Agency (NOACA) for consideration of funding by Ohio Association of Regional Councils (OARC) on behalf of Lakewood.

WHEREAS, the United States Congress has set aside monies for Congestion Mitigation and Air Quality (CMAQ) projects through the State of Ohio, Department of Transportation (ODOT), and administered by the Northeast Ohio Areawide Coordinating Agency (NOACA); and

WHEREAS, Lakewood can apply for these monies and be selected for funding by the Ohio Association of Regional Councils (OARC), who has been charged with management of a statewide CMAQ program by ODOT; and

WHEREAS; the Phase 6 – Traffic Signal Improvements project is a transportation activity eligible to receive federal CMAQ funding; and

WHEREAS, if requested funds are granted, the City of Lakewood shall be responsible for at least twenty (20%) percent of the eligible costs *unless NOACA is requested to apply Toll Revenue Credits (TRC) to TRC eligible applicants, as defined in NOACA's Regional Transportation Investment Policy (RTIP)*; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary to provide for the usual daily operation of the City in that grant applications are due by June 20, 2023; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The City Engineer of the City of Lakewood is hereby authorized to prepare and execute an application for Congestion Mitigation and Air Quality (CMAQ) funds for the stated described project and to submit same to the Northeast Areawide Coordinating Agency (NOACA) for consideration of funding by Ohio Association of Regional Councils (OARC) on behalf of Lakewood.

Section 2. The total cost of the project is estimated to be \$1,348,586, of which Lakewood, if awarded the funds, commits to pay at least twenty (20%) percent (hereinafter known as the local portion) of the actual cost, estimated to be \$500,586. The local portion shall be funded by Lakewood's use of Capital funds. Lakewood further agrees to pay One Hundred Percent (100%) of the cost over and above the maximum amount provided by the OARC and for all non-participating costs associated with project development activities.

Section 3. Upon completion of the described Project, and unless otherwise agreed, Lakewood shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

Section 4. If the application is approved for funding, the Mayor, Public Works Director, Law Director, or City Engineer of Lakewood is hereby authorized to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above-described project on behalf of Lakewood.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. That this Resolution is hereby declared to be an emergency measure for the reasons set forth in the preamble to this Resolution, and provided it receives the affirmative vote of at least two thirds of its members, this Resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor otherwise; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted: \_\_\_\_\_

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John Litten, President of Council

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Haneen Hamideh, Acting Clerk of Council

Approved: \_\_\_\_\_

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Meghan F. George, Mayor